



County of Santa Cruz

Civil Grand Jury
701 Ocean Street, Room 318-I
Santa Cruz, Ca 95060
(831) 454-2099

January 22, 2021

The Santa Cruz Civil Grand Jury confirmed that the Scotts Valley Fire Protection Department's Board of Directors approved its response to the Fire Inspection Report on 8/12/2020 per item 8.4 of their [meeting minutes of that date](#).

The Correspondence Committee on behalf of

Richard H. Goldberg

Richard H. Goldberg, Foreperson
2020–2021 Santa Cruz County Civil Grand Jury



**Santa Cruz County
Civil Grand Jury**

Grand Jury <grandjury@scgrandjury.org>

Scotts Valley Fire Protection District- Grand Jury Response

1 message

Michelle Mayfield <mmayfield@scottsvalleyfire.com>

Fri, Aug 14, 2020 at 2:40 PM

To: grandjury@scgrandjury.org

Cc: Steve Kovacs <skovacs@scottsvalleyfire.com>, Greg Vandervoort <gvandervoort@scottsvalleyfire.com>, Alicia Walton <awalton@scottsvalleyfire.com>

Good Afternoon,

Please see the attached Grand Jury Response from Scotts Valley Fire Protection District. Please let me know if you have any questions.

Thank you,

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Michelle Mayfield

Secretary/Receptionist
Scotts Valley Fire Protection District
831.438.0211

2 attachments

 **8.3 Grand Jury Report 1.pdf**
621K

 **8.4 Grand Jury Report 2.pdf**
293K



**The 2019–2020 Santa Cruz County Civil Grand Jury
Requires that the**

**Scotts Valley Fire Protection District
Board of Directors**

**Respond to the Findings and Recommendations
Specified in the Report Titled**

Fire and Safety Inspections in Santa Cruz County

by September 23, 2020

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC §933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

Validation

Date of governing body's response approval: _____

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F5. Fire Agencies serving the incorporated and unincorporated areas of Santa Cruz County have not adequately reported inspection performance and the inherent risk associated with a performance gap to residents and leadership external to the governing body.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F6. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County would benefit by sharing technology and processes and at times personnel, in fulfilling fire inspection requirements.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than Agree):

While sharing technology, processes, and personnel may appear on the surface as a good direction, it would be difficult to implement. A benefit may be gained by some agencies, but not by others. The local fire prevention bureaus within the County are already working persistently to accomplish tasks mandated by the State. Most, if not all of the agencies in the County, are already at capacity and understaffed. To share personnel, would put additional strain on the agencies to accomplish the current workload. Not all agencies share the same technology. However, some agencies may be bound to specific technology that the jurisdictional IT departments have authorized for use. It may be against local city/district policy to either share this technology, or purchase new or expensive, unapproved technology. Processes are already shared to an extent. The Santa Cruz County Fire Prevention Officers Section of the Fire Chiefs Association meets monthly to discuss common fire and life safety prevention topics and coordinate a mutual position on different issues. For example, the FPO Section meets, reviews, amends and approves the California Fire Code and produces a cohesive document so all agencies can adopt a common Ordinance. The FPO Section has printed common occupancy checklists, called "General Provisions for Fire Safety" which have been unanimously agreed upon and are used by most agencies to document inspections. Our local agencies face different challenges within our county. Some agencies are rural and others are urban, each faced with their own challenges and working diligently to abide by current inspection requirements.

F8. Scotts Valley Fire District resolution 2020-2 is at risk of being non-compliant based on a survey of businesses and organizations consistent with California annual inspection code requirements.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The Scotts Valley Fire Protection District has worked diligently to complete not only the mandated fire and safety inspections, but other inspections the district has deemed important. These include "Assembly" occupancies such as restaurants, bars, churches, as well as Wildland Urban Interface inspections for vegetation management in both commercial and residential properties. SVFPD has adjusted to the requirements set forth beginning in 2019 and has noted 2 preschool properties that were not previously in our inventory for inspections. They have since been added to our list and will not be missed in the future. However, using the references the Grand Jury listed, SVFPD did a survey of local schools, or E occupancies. 7 out of 10 occupancies not in our inventory turned out to be closed, changed names, located in private residences, and one was a P.O. Box only with no campus in the district. SVFPD believes it is continuously striving to be within compliance of the California inspection requirements.

Recommendations

R1. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County should comply, as soon as possible, with state health codes for fire and safety inspections and reporting. Specifically, California Health and Safety Code sections 13146.2, 13146.3, 13146.4, and 171921(b). (F1, F2, F3, F4, F8)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

While SVFPD has already been striving for compliance, the 2 preschools that were not in the inspection inventory have since been added and will be inspected, with all other mandated occupancies.

R2. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County should, as soon as possible, ensure inspection plans reflect all facilities that fall under California Health and Safety Code sections 13146.2, 13156.3, and 171921(b). (F1, F2, F3, F4, F5,F8)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The two preschools previously mentioned have been added to SVFPD’s schedule and the “Large adult overnight learning center” known as 1440 Foundation, referred to by the Grand Jury Report has been, and will continue to be inspected as mandated. Somehow, this facility was inadvertently left off the report, but the Fire District did inspect it in 2019 and again in 2020 and have the records on file. The District continues to maintain an excellent working relationship with the facility and will continue this into the future.

R3. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County should, by January 2021, publish a summary of annual inspection findings on their websites. (F1, F2, F3, F4, F5, F7, F8)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

This information will be posted on our website after the Board of Directors approve the annual Resolution.

R5. The County and City fire agencies should amend their mutual aid agreements to provide for sharing of technology and inspection resources by June 30, 2021. (F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Agencies simply don't have the personnel available to share with other agencies. Most agencies utilize their own system for inspections and many still use handwritten forms to complete inspections in the field. Technology differs from agency to agency and some agencies have policies or regulations restricting what technology may be utilized. It seems unrealistic to expect agencies to comply with this recommendation.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**